

**Amendments to the Drawings**

Submitted herewith are replacement drawing sheets for Figs. 2, 5, 6 and 8. Subject to the approval of the Examiner, it is respectfully requested that the new drawing sheets be substituted for the originally filed drawing sheets for Figs. 2, 5, 6 and 8.



### Remarks

The above Amendments and these Remarks are in reply to the outstanding Office Action. Claims 1-41 are presently pending. Claims 1-3, 5-6, 10-11, 13-16, 18-19, 21-23, 25, 27-32, 36-37 and 39-41 have been amended. Certain claims have been amended to correct typographical errors/antecedent basis.

Claims 27-41 are allowed.

Claims 2, 4-6, 8, 10-13, 16-17, 19, 25-26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The drawings are objected to because the Examiner would like written labels to clarify components shown in the diagrams. As suggested by the Examiner, replacement drawing sheets for Figs. 2, 5, 6 and 8 having written labels have been provided. Therefore, the removal of the objection to the drawings is respectfully requested.

Claims 1, 3, 7, 9, 14-15, 18, and 20-24 were rejected under 35 U.S.C. 102(e) as being taught by *Lee et al.* (US Publication No.: 20020085656).

#### I. Rejection of Claims 1, 3, 7, 9, 14-15, 18, and 20-24 Under 35 U.S.C. 102(e)

Claims 1, 3, 7, 9, 14-15, 18, and 20-24 were rejected under 35 U.S.C. 102(e) as being taught by *Lee et al.*

Claim 1 calls for “a select circuit coupled to the receive circuit to select, according to a data rate select signal, one of the plurality of samples ...and another of the plurality of samples ...” (Emphasis added.)

In the outstanding Office Action, the Examiner has not identified where *Lee et al.* discloses the claimed “select circuit ... [that selects] according to a data rate select signal...” Fig. 5 of *Lee et al.* discloses “data sampler 403” and “compare logic 407” that have clock signals “CLK 1-4” and “input data stream 401” as inputs. The Examiner has not identified where *Lee et al.* discloses the claimed “select circuit” that is “coupled to the receive circuit,” selects “one of the plurality of samples...and another of the plurality of samples...” “according to a data rate select signal.”

Claims 3, 7 and 9 depend from claim 1 and therefore are patentable for at least the reasons stated above in regard to claim 1.



Claim 14 calls for "a sample steering circuit coupled to receive the plurality of samples from the plurality of sampling circuits and to select data state samples and data transition samples from the plurality of samples according to a data rate select signal..."

In the outstanding Office Action, the Examiner has not identified where *Lee et al.* discloses the claimed "a sample steering circuit ...to select data state samples and data transition samples from the plurality of samples according to a data rate select signal..."(Emphasis added.) As described above in regard to claim 1, *Lee et al.* discloses a data sampler 403 and compare logic 407 with an input data stream and clock signals as inputs.

Claims 15, 18 and 20-24 depend from claim 14 and therefore are patentable for at least the reasons stated above in regard to claim 14.

Therefore it is respectfully requested that the rejection to claims 1, 3, 7, 9, 14-15, 18, and 20-24 under 35 U.S.C. 102(e) be withdrawn.

## II. Conclusion

Based on the above amendments and these remarks, reconsideration of Claims 1, 3, 7, 9, 14-15, 18, and 20-24 is respectfully requested.

The Examiner's prompt attention to this matter is greatly appreciated. Should further questions remain, the Examiner is invited to contact the undersigned attorney by telephone.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 501826 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: November 10, 2005

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